

PATENT

10 626 213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Barbera-Guillem et al.

Examiner:

Not Assigned Yet

Application No.:

Not Yet Assigned

Group Art:

Not Assigned Yet

Filing Date:

July 24, 2003

Docket No.:

26983-133

Title:

Methods and Compositions for Immunotherapy of B Cell Involvement in

Promotion of a Disease Condition Comprising Multiple Sclerosis

Mail Stop- DD Commissioner for Patents P.O. Box. 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Examiner:

- 1. This Information Disclosure Statement is filed in accordance with 36 C.F.R. §§§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.
- 2. Pursuant to 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

- 3. Pursuant to 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).
- 4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):
 - () Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
 - () Attached abstract for Non-English Language Documents.
 - 5. Pursuant to 37 C.F.R. § 1.97(b) this Statement is being filed:
 - () within 3 months of the filing date of a national application; or
 - () within 3 months of the date of the entry of the national stage as set forth in 37 CFR § 1.491 in an international application; or
 - (X) before the mailing date of a first Office Action on the merits.

An Information Disclosure Statement along with copies of the references were submitted in the parent application, U.S. Serial No. 09/643,595, filed August 22, 2000, therefore copies of the references are not being resubmitted. If the Examiner wishes to receive additional copies of the references, notification of such is requested.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 02-2051, identifying our Docket No. 26983-133.



Dated: 7/25/03

Respectfully submitted,

BENESCH, FRIEDLANDER COPLAN & ARONOFF LLP

N. Nicole Endejann

Reg. No. 50,229

2300 BP Tower 200 Public Square

Cleveland, OH 44114-2378

(216) 363-4443

Please type a plus sign (+) inside this box →	+
---	---

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE a collection of information unless it contains a valid OMB control number. Under the Paperwork Reduction Act of 1995, no persons are required to response

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet of

Compl t if Known				
Application Number	Unknown			
Filing Date	07/24/2003			
First Named Inventor	Barbera-Guillem et al.			
Group Art Unit	Unknown			
Examiner Name	Unknown			
Attorney Docket Number	26983-133			

			U.S. PATENT DOC	JMENTS	
Cite No.1	U.S. Patent Number	Document Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	5,593,676		Bhat et al.	01/14/1997	
AB			Leung et al.	08/04/1998	
AC	5,736,137		Anderson et al.	04/07/1998	
AD	-5,776,456		Anderson et al.	07/07/1998	
AE.	5,843,439		Anderson et al.	12/01/1998	
				ļ ———	
		\longrightarrow			
<u></u>	ļ				
<u> </u>					
<u> </u>				 	
<u> </u>				<u> </u>	
<u> </u>					
 					
<u> </u>				- 	
	AA AB AC AD	AA 5,593,676 AB 5,789,554 AC 5,736,137 AD -5,776,456	No.1 Number (if known) AA 5,593,676 AB 5,789,554 AC 5,736,137 AD -5,776,456	Cite Number Number Number Number Number Number Number Number Number Number Number Number N	Cite No.1 Number Kind Code (if known) Name of Patentee or Applicant of Cited Document Cited Document MM-DD-YYYY AA 5,593,676 Bhat et al. 01/14/1997 AB 5,789,554 Leung et al. 08/04/1998 AC 5,736,137 Anderson et al. 04/07/1998 AD -5,776,456 Anderson et al. 07/07/1998

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*		<u> </u>	Foreign Patent Do	cument		Date of Publication of	Pages, Columns, Lines, Where Relevant	T
		Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	Ţ6
								$\prod_{i=1}^{n}$
								┵
								_

The state of the s		_
Examiner	Date	
Signature	Considered	
9		

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the senal number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Please type a plus sign (+) inside this box \rightarrow	+
---	---

PTO/SB/08B (08-00)

Approved for use through 10/31/2002, OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitu	ute for form 1449B/PT	0		Complete if Kn wn			
				Application Number	Unknown 10626 21		
INF	DRMATIO	N D	ISCLOSURE	Filing Date	07/24/2003		
STA	TEMENT	BY	APPLICANT	First Named Inventor	Barbera-Guillem et al.		
•			7.1. 1. 2.07.1.1.1	Group Art Unit	Unknown		
	(use as many s	sheet	s as necessary)	Examiner Name	Unknown		
Sheet	2	of	2	Attorney Docket Number	26983-133		

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	-2
Examiner Initials	ВА	Barbera-Guillem et al., 1999, Promotion of tumor invasion by cooperation of granulocytes and macrophages activated by anti-tumor antibodies, Neoplasia, 1:453-460:	
	вв	Barbera-Guillem et al., 2000, B Lymphocyte pahtology in human colorectal cancer. Experimental and clinical therapeutic effects of partial B cell depletion, Cancer Immunology and Immunotherapy, 48:541-549.	
	вс		
	BD		
	BE		
	BF		
	BG		
	вн		
	ВІ		
	ВЈ		8
	вк		
Examine Signature		Date Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.